

AO 91 (Rev. 11/11) Criminal Complaint

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

David Nemes

Case No. 4:19-mj-30379

Judge: Davis, Stephanie Dawkins

Filed: 07-16-2019 At 09:41 AM

SEALED MATTER (krc)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 15, 2018 in the county of Genesee in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

21 U.S.C. §§ 841(a) and 841(b)(1)(B)(viii)

Offense Description

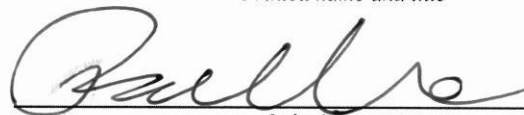
Distribution of 50 grams or more methamphetamine

This criminal complaint is based on these facts:

On or about August 15, 2018, in the Eastern District of Michigan, David NEMES did knowingly distribute 50 grams or more methamphetamine in violation of 21 U.S.C. §§ 841(a) and 841(b)(1)(B)(viii).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: July 16, 2019City and state: Bay City, MI*Complainant's signature*Nicholas Daly, Special Agent, DEA*Printed name and title**Judge's signature*Patricia T. Morris, U.S. Magistrate Judge*Printed name and title*

1. I make this affidavit in support of a complaint against David NEMES for violating 21 U.S.C. §§ 841(a) and 841(b)(1)(B)(viii), distribution of 50 grams or more methamphetamine, in the Eastern District of Michigan.
2. I am a Special Agent [hereafter "SA"] with the Drug Enforcement Administration [hereafter "DEA"] assigned to the Detroit Field Division, Flint Resident Office, Which is located in Genesee County and the Eastern District of Michigan. As such, I am a Federal law enforcement officer within the meaning of Federal Rule of Criminal Rule 41(a)(2)(c), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for federal criminal offenses and make requests for warrants. I have been so empowered since October 31, 2016. I have received specialized training on the subject of drug trafficking and money laundering from the DEA. I have additional experience within the law enforcement field as I was employed by the Indiana State Police as a Trooper for approximately three and a half years. Additionally, I worked as a Police Officer for the City of Hammond, Indiana Police Department for approximately one year. In addition to training

received from the DEA, your affiant has been trained by the Indiana State Police Academy, Plainfield, Indiana. I am presently involved in investigating covert and overt drug trafficking complaints. I work in conjunction with other federal and local police agencies investigating illegal trafficking of controlled substances and the collection and trafficking of related drug proceeds throughout the United States of America and abroad.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause that NEMES violated 21 U.S.C. § 841(a) and does not contain all facts **Whitaker2018!**
4. On August 2, 2018, I obtained a Federal search warrant for the residence located at 1011 Lincoln Avenue, Flint, Michigan, which was signed by Honorable Magistrate Judge Stephanie Dawkins-Davis of the Eastern District of Michigan.
5. On August 15, 2018, at approximately 10:00 AM, investigators of the Flint Resident Office established surveillance at 1011 Lincoln Avenue, Flint, Michigan.

6. At approximately 4:31 PM, Police Officer Fowlkes observed a white Cadillac Escalade pull into the driveway of 1011 Lincoln Avenue, and a maroon Buick passenger vehicle pull up in front of the residence also.
7. At this time, investigators of the Flint Resident Office along with and other state and local law enforcement officials executed a federal search warrant at 1011 Lincoln Avenue.
8. Upon investigators initially approaching the residence, the target of the search warrant, INDIVIDUAL 1, was getting out of the passenger side of the white Cadillac Escalade that was parked in the driveway. Upon seeing police, INDIVIDUAL 1 fled on foot by running southbound through the driveway and jumped the fence on the south end of the property into the back yard. INDIVIDUAL 1 then ran south through the back yard and jumped the fence located on the south end of the property. INDIVIDUAL 1 was subsequently taken into custody by Michigan State Police K9 Trooper Dennis McGuckin in the back yard of 1016 Pettibone Avenue. Just before INDIVIDUAL 1 was taken into custody by Michigan State Police Troopers Ty Purdy and Dennis McGuckin, who observed INDIVIDUAL 1 discarded a black ZTE cellular telephone and the

black plastic bag. The black plastic bag discarded by INDIVIDUAL 1 contained a clear zip lock baggie containing suspected crystal methamphetamine (weighing approximately 7 ounces), which subsequently field tested positive for the presence of methamphetamine.

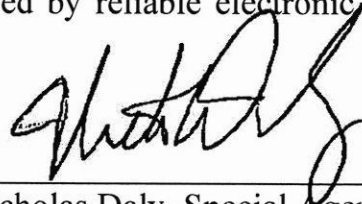
9. Officers executed the search warrant while the white Cadillac Escalade was in the driveway and made contact with David NEMES, who was the driver and sole occupant of the car.
10. Upon obtaining written consent from INDIVIDUAL 1 to search the contents of the surveillance video recording from 1011 Lincoln Avenue, investigators reviewed the surveillance video from the moments leading up to the search warrant being executed at this location. Upon reviewing the surveillance video, I observed the white Cadillac Escalade that was driven by NEMES as it pulled into the driveway. Shortly after the Cadillac pulled into the driveway, I observed INDIVIDUAL 1 pull up in front of 1011 Lincoln Avenue on a dirt bike, walk up the driveway and get into the passenger side of the Cadillac empty handed. After a few minutes, I observed INDIVIDUAL 1 get out of the passenger side of the Cadillac with a black plastic bag in his right hand. It is my belief based on my

observations that NEMES supplied INDIVIDUAL 1 with the 7 ounces of crystal methamphetamine that INDIVIDUAL 1 discarded prior to being arrested.

11.Based on the above-referenced facts, I believe that there is probable cause that NEMES violated 21 U.S.C. §§ 841(a) and 41(b)(1)(B)(viii) by distributing 50 grams or more of methamphetamine in violation of 21 U.S.C. § 841(a) and 841(b)(1)(B)(viii).

Dated this 16th day of July, 2019

This affidavit was submitted and received by reliable electronic means, and was attested to by the affiant telephonically.



Nicholas Daly, Special Agent
Drug Enforcement Administration

Sworn to before me this 16th day of July, 2019



Hon. Patricia T. Morris
United States Magistrate Judge